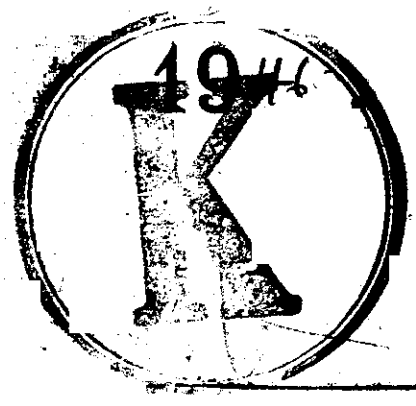

File No. Factories II/46

Legal Department

B **BRANCH**

Subject:-

Rules and Notifications under the Factories Act, 1934

Pm H/E

File No. Factories II/46

Gen. 194 e.

2-07-B

Office of the R.L.A.

A revised draft notification is sent herewith.

Since the draft notification on p. 29 purports to appoint Mr. K.R. Gadgil as Junior Inspector of Factories for the very areas for which Mr. N.L.Gadkari has been appointed Junior Inspector of Factories Under G.N.P. & S.D. No. S 20/7, dated the 20th March 1945, that notification will have to be supreseded in so far as it relates to the appoint ment of Mr. Gadkari. The revised draft notification provides accordingly.

Sd/- P.N.Moos
29/5/46

Remembrancer of Legal Affairs.

U.R. to P. & S.D. No. 40 50 dated 30th May 1946.

Mjr/12/7

4 Cs.

Office of the R.L.A.

Although under Revenue Department Notification No. 9823/33-I.I, dated the 24th September 1945, the village specified in Schedule A to the notification are excluded from the Bombya Suburban D strict and are included in and form part of the Thana District, the villages specified in Schedule B thereto continue to be included in the South Salsette Taluka in the Bombay Suburban District. The reference to the Bombay Suburban District in the draft notification at p 33 is not therefore incorrect. As the revenue district of Bombay Suburban District remains unaffected by the Greater Bombay Scheme the reference ~~to the reference~~ to the Greater Bombay Laws and the Bombay High Court (Declaration of Limits) Act, 1945 in the Political and Services Department note at p. 35 ante is not understood.

Sd/- P.N.Moos
19/6/44

O.C.

Remembrancer of Legal Affairs.

U.R. to P. & S.D.,,No. 4509, dated the 21st June 1946.

Mjr/12/7

4 Cs.

Office of the R.L.A.

The proposal is to appoint Inspectors of Notified Factories to be Public Prosecutors throughout the Province of Bombay for the purpose of conducting prosecutions under the Factories Act, 1934. It is presumed that Inspectors of Notified Factories are Inspectors of places which under section 5 of the Act are deemed to be factories. Under section 10 of the Act the Provincial Government has power to appoint persons to be Inspectors within such local limits as it may assign to them respectively. If therefore an Inspector is appointed under section 10 he exercises the powers under the Act within the local limits assigned to him and, if within the local limits so assigned to him he is directed to exercise powers only in relation to notified factories within his jurisdiction, he is still an Inspector appointed under section 10. Under Political and Services Department Notification presumed No. 352034(k), dated the 18th November 1935 (which is is presumed continues to be in force) the Chief Inspector and senior and Junior Inspectors of Factories are appointed Public Prosecutors throughout the Province of Bombay for the purpose of conducting prosecutions under the Factories Act, 1934. Inspectors of 'Notified Factories' are Inspectors of Factories within the meaning of this notification and can therefore be considered as being appointed to be Public Prosecutors for the purpose of conducting prosecutions under the Factories Act. No notification as proposed at p 3 is therefore necessary.

Sd/- P.N.Koos

o.c. 22/6/46

Remembrancer of Legal Affairs.

U.R . to P. & S.D., No 4549, dated the 24th June 1946.

Mjr/12/7

4 Cs.

Office of the R.L.A.

The draft notification at p 36 ante, as amended, is in order.

2. As the period upto which the notification is to be extended by the Government is r stricted by the Act to six months only, the Political and Services Department should see that the notification is not issued before 30th September 1946. Since the intention is that the six months" period should expire on the 31st March 1947, the notification in question may issue on 1st October 1946.

Sd/- A.R.Khan

O.C.

for Remembrancer of Legal Affairs.

U.R. to P. & S.D. No. 1033-L dated the 27th September 1946.

Mjr/12/7

4 Cs.